

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

JAMES M. ICARD,

No. C13-05097 LB

Plaintiff,

v.

**JUDICIAL REFERRAL FOR
PURPOSES OF DETERMINING
RELATIONSHIP OF CASES**

ECOLAB, INC.,

Defendant.

On October 31, 2013, defendant Ecolab, Inc. removed a state court action to federal court. *See Icard v. Ecolab, Inc.*, No. CGC-09-495344 (San Francisco Superior Court). It was assigned to the undersigned. Ecolab also filed an administrative motion asking the undersigned to relate this action to two other actions it previously removed and which were heard by Judge Hamilton.

Administrative Motion, ECF No. 2; *see Icard v. Ecolab, Inc.*, No. C10-00410 PJH (N.D. Cal. Jan. 28, 2010); *Icard v. Ecolab, Inc.*, No. C11-03258 PJH (N.D. Cal. June 30, 2011).

Under Civil Local Rule 3-12(b), Ecolab should have filed its administrative motion in the earliest-filed case (*i.e.*, *Icard v. Ecolab, Inc.*, No. C10-00410 PJH (N.D. Cal. Jan. 28, 2010)). Ecolab instead filed its administration only in this action. Accordingly, the undersigned refers this action (and Ecolab's administrative motion) to Judge Hamilton to determine whether it is related to either *Icard v. Ecolab, Inc.*, No. C10-00410 PJH (N.D. Cal. Jan. 28, 2010); *Icard v. Ecolab, Inc.*, No. C11-03258 PJH (N.D. Cal. June 30, 2011).

1 **IT IS SO ORDERED.**

2 Dated: November 1, 2013



3 LAUREL BEELER
4 United States Magistrate Judge

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For the Northern District of California